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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

The plaintiff's attorney having met the criteria of L.R. 54-6, by meeting and conferring with defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

1. Defendant shall pay FIVE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$5,250.00), pursuant to the Equal Access to Justice Act (EAJA), for attorney fees incurred in this court action. The check is to be payable to plaintiff's counsel:

CANDACE C. DAVENPORT  
1703 FIFTH AVE., SUITE 204  
SAN RAFAEL, CA 94901  
(415) 456-3606 fax: 453-3545

2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice

Act.

3. Payment of the FIVE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$5,250.00) EAJA fees incurred in this court action, will constitute a complete release from and bar to any and all claims, rights, causes of action, liens or subrogated interests relating to attorney fees pursuant to the EAJA, or costs as a result of this court action.

Dated: September 19, 2006

/s/  
CANDACE C. DAVENPORT  
Attorney for Plaintiff

KEVIN V. RYAN  
United States Attorney

Dated: September 20, 2006

By: /s/  
SARA WINSLOW  
Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated:

  
SUSAN ILLSTON  
United States District Judge

FATE, EAJA STIP (md)  
C 05-02034 SI